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Legislative History – Montana Session Law

Chapter: 310 Session L: 2019
Bill Number: SB 171

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☒
Third Reading Bill	☒
Final Version of Bill	☒

House

Committee: Business and Labor

Hearing Date(s): 03/15/2019

Committee Report: Concurred as amended

Senate

Committee: Business, Labor, and Economic Affairs

Hearing Date(s): 01/29/2019

Committee Report: Bill passed

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: Charlotty Herman
Date: 08/12/2026
Notes: Senate and House committee meetings did not have exhibits.

(v) "Roadway" means the portion of a highway that is improved, designed, or ordinarily used for vehicular travel, including the paved shoulder.

(w) "School bus" has the meaning provided in 20-10-101.

(x) "Sidewalk" means the portion of a street that is between the curb lines or the lateral lines of a roadway and the adjacent property lines and that is intended for use by pedestrians.

(y) "Traffic control signal" means a device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(z) "Urban district" means the territory contiguous to and including any street that is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than 100 feet for a distance of one-fourth mile or more."

Approved May 7, 2019

CHAPTER NO. 310

[SB 171]

AN ACT GENERALLY REVISING LAWS RELATED TO FIREFIGHTERS AND TOBACCO; REQUIRING THAT PAID FIREFIGHTERS HIRED ON OR AFTER JULY 1, 2019, BE TOBACCO-FREE; PROVIDING TOBACCO CESSATION COURSES TO PAID FIREFIGHTERS WHO CURRENTLY USE TOBACCO PRODUCTS; PROHIBITING CERTAIN FIREFIGHTERS FROM DISPLAYING TOBACCO PRODUCTS OR USING TOBACCO PRODUCTS WHILE ON DUTY; PROHIBITING PROVISIONS ALLOWING TOBACCO USE IN COLLECTIVE BARGAINING AGREEMENTS; AMENDING SECTION 7-33-4107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Definitions. As used in [sections 1 through 4], the following definitions apply:

(1) "Paid firefighter" means a firefighter qualified under 7-33-4107 who receives full or partial pay.

(2) "Volunteer firefighter" has the meaning provided in 19-17-102.

Section 2. Qualifications of paid firefighters -- tobacco use. (1) (a) A paid firefighter hired on or after July 1, 2019, must be tobacco-free.

(b) The requirements of subsection (1)(a) must be verified through a physical exam as required in 7-33-4107.

(2) (a) A paid firefighter hired prior to July 1, 2019, who uses tobacco shall take a tobacco cessation course once every 4 years. The tobacco cessation course must be provided through programs for tobacco disease prevention as described in 17-6-602.

(b) A paid firefighter hired prior to July 1, 2019, shall provide proof of participation in a tobacco cessation course to the firefighter's department.

Section 3. Tobacco references and use prohibited. (1) A municipal or rural fire department, district, or service area may not display, advertise, or depict tobacco products or the use of tobacco products on state, county, or municipal property.

(2) A paid firefighter may not wear any form of clothing depicting tobacco products or tobacco use while engaged in firefighting duties.

(3) A paid or volunteer firefighter may not use tobacco products while engaged in firefighting work, on firefighting equipment, while attending any firefighting training, or on any worksite while engaging in firefighting duties.

Section 4. Tobacco use provisions prohibited in collective bargaining. (1) Except as provided in subsection (2), collective bargaining agreements between an employer and paid firefighters may not include provisions allowing tobacco use.

(2) Collective bargaining agreements enacted before [the effective date of this act] are exempt from the provisions of subsection (1).

Section 5. Section 7-33-4107, MCA, is amended to read:

"7-33-4107. Qualifications of firefighters. The state of Montana determines that qualifications for the firefighting profession must recognize the rigorous physical demands placed on firefighters and the expectation of many years of emergency service. To qualify as a firefighter, an applicant:

(1) must be a citizen of the United States;

(2) must be at least 18 years of age;

(3) must be a high school graduate or have been issued a high school equivalency diploma by the superintendent of public instruction or by an appropriate issuing agency of another state or of the federal government;

(4) must possess or be eligible for a valid Montana driver's license;

(5) shall pass a physical examination by a qualified physician, physician assistant, or advanced practice registered nurse, who is not the applicant's personal physician, physician assistant, or advanced practice registered nurse, appointed by the employing authority to determine if the applicant is free from any mental or physical condition that might adversely affect the applicant's performance of the duties of a firefighter*, including requirements described in [section 2]*;

(6) must be fingerprinted and a search must be made of the local, state, and national fingerprint files to disclose any criminal record; and

(7) may not have been convicted of a crime for which the applicant could have been imprisoned in a federal or state penitentiary."

Section 6. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

Section 7. Codification instruction. [Sections 1 through 4] are intended to be codified as an integral part of Title 7, chapter 33, and the provisions of Title 7, chapter 33, apply to [sections 1 through 4].

Section 8. Effective date. [This act] is effective on passage and approval.

Approved May 7, 2019

CHAPTER NO. 311

[SB 195]

AN ACT GENERALLY REVISING LAWS RELATED TO ENERGY PERFORMANCE CONTRACTING; REVISING THE DEPARTMENT OF ENVIRONMENTAL QUALITY'S RELATED DUTIES AND RULEMAKING; AMENDING SECTIONS 90-4-1102, 90-4-1110, 90-4-1112, 90-4-1113, AND 90-4-1114, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Ch. 163 .....SB 226
Ch. 164 .....SB 275
Ch. 165 .....SB 288
Ch. 166 .....SB 292
Ch. 167 .....SB 295
Ch. 168 .....SB 310
Ch. 169 .....HB 24
Ch. 170 .....HB 37
Ch. 171 .....HB 41
Ch. 172 .....HB 150
Ch. 173 .....HB 158
Ch. 174 .....HB 190
Ch. 175 .....HB 212
Ch. 176 .....HB 234
Ch. 177 .....HB 243
Ch. 178 .....HB 257
Ch. 179 .....HB 267
Ch. 180 .....HB 274
Ch. 181 .....HB 282
Ch. 182 .....HB 285
Ch. 183 .....HB 297
Ch. 184 .....HB 305
Ch. 185 .....HB 319
Ch. 186 .....HB 327
Ch. 187 .....HB 331
Ch. 188 .....HB 343
Ch. 189 .....HB 386
Ch. 190 .....HB 422
Ch. 191 .....HB 444
Ch. 192 .....HB 505
Ch. 193 .....HB 518
Ch. 194 .....HB 529
Ch. 195 .....HB 581
Ch. 196 .....HB 619
Ch. 197 .....HB 624
Ch. 198 .....HB 318
Ch. 199 .....HB 347
Ch. 200 .....HB 461
Ch. 201 .....HB 520
Ch. 202 .....HB 586
Ch. 203 .....HB 604
Ch. 204 .....HB 3
Ch. 205 .....SB 26
Ch. 206 .....SB 41
Ch. 207 .....SB 70
Ch. 208 .....SB 79
Ch. 209 .....SB 81
Ch. 210 .....SB 125
Ch. 211 .....SB 151
Ch. 212 .....SB 154
Ch. 213 .....SB 213
Ch. 214 .....SB 255
Ch. 215 .....SB 335
Ch. 216 .....HB 244
Ch. 217 .....HB 245
Ch. 218 .....HB 357
Ch. 219 .....SB 24
Ch. 220 .....SB 38
Ch. 221 .....SB 44
Ch. 222 .....SB 49
Ch. 223 .....SB 55
Ch. 224 .....SB 69
Ch. 225 .....SB 116
Ch. 226 .....SB 124
Ch. 227 .....SB 140
Ch. 228 .....SB 155
Ch. 229 .....SB 162
Ch. 230 .....SB 165
Ch. 231 .....SB 167
Ch. 232 .....SB 183
Ch. 233 .....SB 197
Ch. 234 .....SB 218
Ch. 235 .....SB 220
Ch. 236 .....SB 222
Ch. 237 .....SB 231
Ch. 238 .....SB 256
Ch. 239 .....SB 257
Ch. 240 .....SB 305
Ch. 241 .....SB 311
Ch. 242 .....SB 351
Ch. 243 .....HB 192
Ch. 244 .....SB 344
Ch. 245 .....HB 476
Ch. 246 .....SB 5
Ch. 247 .....SB 12
Ch. 248 .....SB 35
Ch. 249 .....SB 37
Ch. 250 .....SB 40
Ch. 251 .....SB 48
Ch. 252 .....SB 90
Ch. 253 .....SB 92
Ch. 254 .....SB 111
Ch. 255 .....SB 114
Ch. 256 .....SB 191
Ch. 257 .....SB 200
Ch. 258 .....SB 204
Ch. 259 .....SB 349
Ch. 260 .....SB 236
Ch. 261 .....SB 241
Ch. 262 .....SB 264
Ch. 263 .....SB 270
Ch. 264 .....SB 285
Ch. 265 .....SB 289
Ch. 266 .....SB 296
Ch. 267 .....SB 299
Ch. 268 .....SB 302
Ch. 269 .....SB 318
Ch. 270 .....SB 321
Ch. 271 .....SB 325
Ch. 272 .....SB 333
Ch. 273 .....HB 21
Ch. 274 .....HB 9
Ch. 275 .....HB 54
Ch. 276 .....HB 204
Ch. 277 .....HB 205
Ch. 278 .....HB 224
Ch. 279 .....HB 387
Ch. 280 .....HB 397
Ch. 281 .....HB 524
Ch. 282 .....HB 585
Ch. 283 .....HB 617
Ch. 284 .....HB 725
Ch. 285 .....HB 776
Ch. 286 .....SB 43
Ch. 287 .....SB 74
Ch. 288 .....SB 176
Ch. 289 .....SB 177
Ch. 290 .....SB 178
Ch. 291 .....SB 192
Ch. 292 .....SB 265
Ch. 293 .....SB 267
Ch. 294 .....SB 269
Ch. 295 .....SB 353
Ch. 296 .....SB 341
Ch. 297 .....SB 30
Ch. 298 .....SB 32
Ch. 299 .....SB 51
Ch. 300 .....SB 60
Ch. 301 .....SB 67
Ch. 302 .....SB 73
Ch. 303 .....SB 76
Ch. 304 .....SB 93
Ch. 305 .....SB 132
Ch. 306 .....SB 133
Ch. 307 .....SB 139
Ch. 308 .....SB 147
Ch. 309 .....SB 158
Ch. 310 .....SB 171
Ch. 311 .....SB 195
Ch. 312 .....SB 205
Ch. 313 .....SB 225
Ch. 314 .....SB 232
Ch. 315 .....SB 240
Ch. 316 .....SB 244
Ch. 317 .....SB 253
Ch. 318 .....SB 254
Ch. 319 .....SB 258
Ch. 320 .....SB 262
Ch. 321 .....SB 268
Ch. 322 .....SB 271
Ch. 323 .....SB 276
Ch. 324 .....SB 286
Ch. 325 .....SB 291
Ch. 326 .....SB 317
Ch. 327 .....SB 319
Ch. 328 .....SB 320
Ch. 329 .....SB 324
Ch. 330 .....SB 326
Ch. 331 .....SB 328
Ch. 332 .....SB 334
Ch. 333 .....SB 337

SB 171 INTRODUCED BY FITZPATRICK *LC0006 DRAFTER: HENNEMAN*

GENERALLY REVISE LAWS RELATED TO FIREFIGHTERS

1/24	INTRODUCED		
1/24	FISCAL NOTE REQUESTED		
1/24	REFERRED TO BUSINESS, LABOR, AND ECONOMIC AFFAIRS		
1/29	HEARING		
2/01	FISCAL NOTE RECEIVED		
2/05	FISCAL NOTE PRINTED		
2/06	COMMITTEE EXEC ACTION--BILL PASSED	9	1
2/07	COMMITTEE REPORT--BILL PASSED		
2/11	2ND READING PASSED	40	10
2/12	3RD READING PASSED	44	6
	TRANSMITTED TO HOUSE		
2/14	REFERRED TO BUSINESS AND LABOR		
3/15	HEARING		
4/03	COMMITTEE EXEC ACTION--CONCURRED AS AMD	19	0
4/03	COMMITTEE REPORT--CONCURRED AS AMD		
4/05	2ND READING CONCURRED	84	15
4/08	3RD READING CONCURRED	83	14
	RETURNED TO SENATE WITH AMENDMENTS		
4/12	2ND READING HOUSE AMDS CONCURRED	50	0
4/13	3RD READING PASSED AS AMENDED BY HOUSE	48	2
4/13	SENT TO ENROLLING		
4/16	RETURNED FROM ENROLLING		
4/25	SIGNED BY PRESIDENT		
4/26	SIGNED BY SPEAKER		
4/29	TRANSMITTED TO GOVERNOR		
5/07	SIGNED BY GOVERNOR		
5/08	CHAPTER NUMBER ASSIGNED		
	CHAPTER NUMBER 310		
	EFFECTIVE DATE: 5/07/2019 - ALL SECTIONS		

SB 172 INTRODUCED BY MACDONALD *LC1281 DRAFTER: WEISS*

GENERALLY REVISE POST CONVICTION RELIEF LAWS

1/21	FISCAL NOTE PROBABLE
1/24	INTRODUCED
1/24	REFERRED TO JUDICIARY
1/24	FISCAL NOTE REQUESTED
1/29	HEARING
1/29	FISCAL NOTE RECEIVED
1/30	FISCAL NOTE PRINTED
2/08	TABLED IN COMMITTEE
3/01	MISSED DEADLINE FOR GENERAL BILL TRANSMITTAL
	DIED IN STANDING COMMITTEE

SB 173 INTRODUCED BY GAUTHIER *LC0522 DRAFTER: GRAFF*

REVISE LAWS RELATED TO ELECTRIC VEHICLE CHARGING STATIONS

1/25	INTRODUCED
1/25	FISCAL NOTE REQUESTED
1/25	REFERRED TO HIGHWAYS AND TRANSPORTATION
1/28	FISCAL NOTE RECEIVED

SENATE BILL NO. 171

INTRODUCED BY S. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO FIREFIGHTERS AND TOBACCO; REQUIRING THAT PAID FIREFIGHTERS HIRED ON OR AFTER JANUARY 1, 2020, BE TOBACCO-FREE; PROVIDING TOBACCO CESSATION COURSES TO PAID FIREFIGHTERS WHO CURRENTLY USE TOBACCO PRODUCTS; PROHIBITING CERTAIN FIREFIGHTERS FROM DISPLAYING TOBACCO PRODUCTS OR USING TOBACCO PRODUCTS WHILE ON DUTY; PROHIBITING PROVISIONS ALLOWING TOBACCO USE IN COLLECTIVE BARGAINING AGREEMENTS; AND AMENDING SECTION 7-33-4107, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 4], the following definitions apply:

(1) "Paid firefighter" means a firefighter qualified under 7-33-4107 who receives full or partial pay.

(2) "Volunteer firefighter" has the meaning provided in 19-17-102.

NEW SECTION. **Section 2. Qualifications of paid firefighters -- tobacco use.** (1) (a) A paid firefighter hired on or after January 1, 2020, must be tobacco-free.

(b) The requirements of subsection (1)(a) must be verified through a physical exam as required in 7-33-4107.

(2) (a) A paid firefighter hired prior to January 1, 2020, who uses tobacco shall take a tobacco cessation course once every 4 years. The tobacco cessation course must be provided through programs for tobacco disease prevention as described in 17-6-602.

(b) A paid firefighter hired prior to January 1, 2020, shall provide proof of participation in a tobacco cessation course to the firefighter's department.

NEW SECTION. **Section 3. Tobacco references and use prohibited.** (1) A municipal or rural fire department, district, or service area may not display, advertise, or depict tobacco products or the use of tobacco

products on state, county, or municipal property.

(2) A paid firefighter may not wear any form of clothing depicting tobacco products or tobacco use while engaged in firefighting duties.

(3) A paid or volunteer firefighter may not use tobacco products while engaged in firefighting work, on firefighting equipment, while attending any firefighting training, or on any worksite while engaging in firefighting duties.

NEW SECTION. **Section 4. Tobacco use provisions prohibited in collective bargaining.** (1) Except as provided in subsection (2), collective bargaining agreements between an employer and paid firefighters may not include provisions allowing tobacco use.

(2) Collective bargaining agreements enacted before [the effective date of this act] are exempt from the provisions of subsection (1).

Section 5. Section 7-33-4107, MCA, is amended to read:

"7-33-4107. Qualifications of firefighters. The state of Montana determines that qualifications for the firefighting profession must recognize the rigorous physical demands placed on firefighters and the expectation of many years of emergency service. To qualify as a firefighter, an applicant:

(1) must be a citizen of the United States;

(2) must be at least 18 years of age;

(3) must be a high school graduate or have been issued a high school equivalency diploma by the superintendent of public instruction or by an appropriate issuing agency of another state or of the federal government;

(4) must possess or be eligible for a valid Montana driver's license;

(5) shall pass a physical examination by a qualified physician, physician assistant, or advanced practice registered nurse, who is not the applicant's personal physician, physician assistant, or advanced practice registered nurse, appointed by the employing authority to determine if the applicant is free from any mental or physical condition that might adversely affect the applicant's performance of the duties of a firefighter, including requirements described in [section 2];

(6) must be fingerprinted and a search must be made of the local, state, and national fingerprint files to disclose any criminal record; and

(7) may not have been convicted of a crime for which the applicant could have been imprisoned in a federal or state penitentiary."

NEW SECTION. **Section 6. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

NEW SECTION. **Section 7. Codification instruction.** [Sections 1 through 4] are intended to be codified as an integral part of Title 7, chapter 33, and the provisions of Title 7, chapter 33, apply to [sections 1 through 4].

- END -

SENATE BILL NO. 171

INTRODUCED BY S. FITZPATRICK

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(5) shall pass a physical examination by a qualified physician, physician assistant, or advanced practice registered nurse, who is not the applicant's personal physician, physician assistant, or advanced practice registered nurse, appointed by the employing authority to determine if the applicant is free from any mental or physical condition that might adversely affect the applicant's performance of the duties of a firefighter, including requirements described in [section 2];

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NEW SECTION. **Section 7. Codification instruction.** [Sections 1 through 4] are intended to be codified as an integral part of Title 7, chapter 33, and the provisions of Title 7, chapter 33, apply to [sections 1 through 4].

NEW SECTION. **SECTION 8. EFFECTIVE DATE.** [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

- END -

AN ACT GENERALLY REVISING LAWS RELATED TO FIREFIGHTERS AND TOBACCO; REQUIRING THAT PAID FIREFIGHTERS HIRED ON OR AFTER JULY 1, 2019, BE TOBACCO-FREE; PROVIDING TOBACCO CESSATION COURSES TO PAID FIREFIGHTERS WHO CURRENTLY USE TOBACCO PRODUCTS; PROHIBITING CERTAIN FIREFIGHTERS FROM DISPLAYING TOBACCO PRODUCTS OR USING TOBACCO PRODUCTS WHILE ON DUTY; PROHIBITING PROVISIONS ALLOWING TOBACCO USE IN COLLECTIVE BARGAINING AGREEMENTS; AMENDING SECTION 7-33-4107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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(b) The requirements of subsection (1)(a) must be verified through a physical exam as required in 7-33-4107.

(2) (a) A paid firefighter hired prior to July 1, 2019, who uses tobacco shall take a tobacco cessation course once every 4 years. The tobacco cessation course must be provided through programs for tobacco disease prevention as described in 17-6-602.

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Section 7. Codification instruction. [Sections 1 through 4] are intended to be codified as an integral part of Title 7, chapter 33, and the provisions of Title 7, chapter 33, apply to [sections 1 through 4].

Section 8. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,

SB 0171, originated in the Senate.

President of the Senate

Signed this _____ day

of _____, 2019.

Secretary of the Senate

Speaker of the House

Signed this _____ day

of _____, 2019.

SENATE BILL NO. 171

INTRODUCED BY S. FITZPATRICK

AN ACT GENERALLY REVISING LAWS RELATED TO FIREFIGHTERS AND TOBACCO; REQUIRING THAT PAID FIREFIGHTERS HIRED ON OR AFTER JULY 1, 2019, BE TOBACCO-FREE; PROVIDING TOBACCO CESSATION COURSES TO PAID FIREFIGHTERS WHO CURRENTLY USE TOBACCO PRODUCTS; PROHIBITING CERTAIN FIREFIGHTERS FROM DISPLAYING TOBACCO PRODUCTS OR USING TOBACCO PRODUCTS WHILE ON DUTY; PROHIBITING PROVISIONS ALLOWING TOBACCO USE IN COLLECTIVE BARGAINING AGREEMENTS; AMENDING SECTION 7-33-4107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING

Fiscal Note 2021 Biennium

Bill #	SB0171	Title:	Generally revise laws related to firefighters
Primary Sponsor:	Fitzpatrick, Steve	Status:	As Introduced

☐Significant Local Gov Impact ☐Needs to be included in HB 2 ☐Technical Concerns

☐Included in the Executive Budget ☐Significant Long-Term Impacts ☐Dedicated Revenue Form Attached

FISCAL SUMMARY

	FY 2020 Difference	FY 2021 Difference	FY 2022 Difference	FY 2023 Difference
Expenditures:				
General Fund	$0	$0	$0	$0
Revenue:				
General Fund	$0	$0	$0	$0
Net Impact-General Fund Balance:	$0	$0	$0	$0

Description of fiscal impact: SB 171 requires paid firefighters hired by local governments to be tobacco free by passing a physical examination and volunteer municipal firefighters may not use tobacco products while engaged in firefighting work. There is no fiscal impact to cities and towns, since paid firefighters already are required to take a physical exam, and both paid and volunteer firefighters have access to tobacco cessation programs.

FISCAL ANALYSIS

Assumptions:

Department of Administration

1. There is no impact to the Department of Administration as a result of this bill. A paid firefighter under section 1 applies only to local government (title 7).

Office of the Secretary of State

2. This bill will have minimal cost for postage and administrative duties. The Office of the Secretary of State does not receive general fund monies for office operations but has agreed to assume the fiscal responsibility for this bill.

Effect on County or Other Local Revenues or Expenditures:

Montana League of Cities and Towns

1. There is no fiscal impact to cities and towns. Paid firefighters already take a physical examination as part of their hiring process, and the bill doesn't require volunteer firefighters to take a physical exam.

2. Paid municipal firefighters have access to the Montana Department of Public Health and Human Services' Quit Line program, which is a free service, but also have more robust tobacco cessation programs available through their health insurance programs. Volunteer municipal firefighters have access to the state's Quit Line.

NO SPONSOR SIGNATURE

Sponsor's Initials *Date* TL *Budget Director's Initials* 1/31/19 *Date*

MINUTES

MONTANA SENATE
66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on January 29, 2019 at 8:30 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Steve Fitzpatrick, Chair (R)
Sen. Dee Brown, Vice Chair (R)
Sen. Sue Malek, Vice Chair (D)
Sen. Carlie Boland (D)
Sen. Jason W. Ellsworth (R)
Sen. Terry Gauthier (R)
Sen. Jason D. Small (R)
Sen. Frank Smith (D)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)

Members Excused: None

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Jameson Walker, Legislative Services Division

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 62, 1/24/2019; SB 160, 1/24/2019; SB 171, 1/25/2019

Executive Action: SB 126, Do Pass

08:31:34 Chairman Fitzpatrick

HEARING ON HB 62

Opening Statement by Sponsor:
08:32:26 Rep. Bruce Grubbs (R), HD 68, opened the hearing on HB 62. Amend nonresident auto insurance requirements.

Proponents' Testimony:
08:35:09 Bob Biskupiak, deputy insurance commissioner, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)
08:38:44 John Iverson, Independent Insurance Agents of Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
08:40:22 Sen. Brown
08:42:03 Mr. Biskupiak, CSI
08:42:15 Sen. Malek
08:44:21 Mr. Biskupiak
08:45:07 Sen. Ellsworth
08:46:46 Mr. Biskupiak
08:47:01 Chairman Fitzpatrick
08:48:10 Mr. Biskupiak

Closing by Sponsor:
08:48:18 Rep. Grubbs

08:49:14 Chairman Fitzpatrick

HEARING ON SB 160

Opening Statement by Sponsor:
08:50:58 Sen. Nate McConnell (D), SD 48, opened the hearing on SB 160. Provide workers' compensation for presumptive diseases of firefighters.

Proponents' Testimony:
08:58:30 Joel Fassbinder, president, Montana State Council of Professional Fire Fighters; Montana State Firemen's Association
08:59:04 Dave Maslowski, Montana State Firemen's Association (MSFA)
EXHIBIT(bus17a01)

09:02:03 Joel Gaertig, political advisor, Montana State Firemen's Association
09:05:55 Rich Cowger, president, Montana State Fire Chief's Association (MSFCA)
EXHIBIT(bus17a02)
EXHIBIT(bus17a03)

09:08:34 Jeff Brandt, chief, Missoula City Fire Department (MCFD)
09:09:52 Adam Haight, AFL-CIO

Opponents' Testimony:
09:10:35 Larry Jones, Montana Self Insurers Association (MSIA)
09:14:46 Alan Hulse, Montana Municipal Interlocal Authority
09:21:36 Eric Bryson, Montana Association of Counties (MACo)
09:28:31 Cary Hegreberg, interim CEO, Montana Chamber of Commerce
09:31:12 Brian Thompson, Montana Municipal Interlocal Authority

Informational Testimony:
09:33:01 Laura Williamson, state epidemiologist, Department of Public Health and Human Services (DPHHS)
09:33:37 Bruce Spencer, National Council on Compensation Insurance
EXHIBIT(bus17a04)

Questions from Committee Members and Responses:
09:36:24 Sen. Brown
09:38:13 Mr. Maslowski, MSFA
09:38:23 Chairman Fitzpatrick
09:38:35 Mr. Maslowski
09:38:50 Sen. Ellsworth
09:42:36 Sen. McConnell deferred
09:43:41 Jeff Brandt, MCFD
09:44:26 Sen. McConnell
09:48:04 Ms. Williamson, DPHHS
09:48:21 Chairman Fitzpatrick
09:48:43 Ms. Williamson
09:50:28 Sen. Malek
09:57:15 Sen. McConnell
09:57:45 Sen. Brown
10:01:29 Mr. Cowger, MSFCA
10:02:27 Chairman Fitzpatrick
10:02:50 Mr. Cowger
10:04:01 Sen. Gauthier
10:06:51 Mr. Cowger
10:07:40 Chairman Fitzpatrick
10:07:57 Mr. Cowger
10:08:29 Sen. Smith
10:10:52 Mr. Bryson, MACo
10:11:22 Chairman Fitzpatrick
10:12:18 Mr. Jones, MSIA
10:13:44 Chairman Fitzpatrick
10:15:15 Sen. McConnell
10:16:13 Sen. Gauthier
10:18:22 Sen. McConnell
10:19:42 Sen. Ellsworth
10:21:45 Sen. McConnell
10:21:49 Sen. Small
10:22:17 Sen. McConnell

10:22:41 Chairman Fitzpatrick
10:24:08 Sen. McConnell

Closing by Sponsor:
10:24:19 Sen. McConnell

10:25:08 Chairman Fitzpatrick

Chairman Fitzpatrick turned over the duties of the Chair to Vice Chair Brown.

10:27:00 Chair Brown

HEARING ON SB 171

Opening Statement by Sponsor:
10:27:10 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 171. Generally revise laws related to firefighters.

Proponents' Testimony:
10:31:52 Joel Gaertig, Montana State Firemen's Association
10:32:15 Brian Reed, Montana State Council of Professional Fire Fighters

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
10:33:24 Sen. Boland
10:35:01 Sen. Fitzpatrick
10:35:06 Sen. Vuckovich
10:35:22 Sen. Fitzpatrick
10:35:40 Chair Brown
10:38:15 Sen. Fitzpatrick
10:39:03 Sen. Malek
10:40:07 Sen. Fitzpatrick
10:40:17 Sen. Ellsworth
10:43:32 Sen. Fitzpatrick
10:44:00 Chair Brown
10:44:08 Sen. Malek
10:44:56 Sen. Fitzpatrick
10:46:41 Sen. Boland
10:47:03 Sen. Fitzpatrick

Closing by Sponsor:
10:47:39 Sen. Fitzpatrick

10:47:46 Chair Brown

Chairman Fitzpatrick assumed the duties of the Chair.

10:48:28 Recess
10:59:13 Reconvene

Sen. Vance was excused.

10:59:15 Chair Fitzpatrick

EXECUTIVE ACTION ON SB 126

10:59:18 **Motion:** Sen. D. Brown moved that **SB 126 DO PASS**.

Discussion:
10:59:42 Sen. Malek
11:00:39 Sen. Ellsworth
11:02:06 Sen. Malek
11:02:48 Sen. Brown

11:03:22 **Vote:** Motion carried 6-4 by roll call vote with Sen. Boland, Sen. Malek, Sen. F. Smith and Sen. Vuckovich voting no. Sen. Vance voted by proxy.

Committee Business:
11:04:25 Chairman Fitzpatrick
11:04:28 Jameson Walker, Legislative Services Division (LSD)
11:05:21 Chairman Fitzpatrick
11:05:56 Sen. Brown
11:06:18 Chairman Fitzpatrick
11:06:31 Sen. Boland

ADJOURNMENT

Adjournment: 11:07 AM

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Linda Keim, Secretary

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Additional Documents:

EXHIBIT(bus17aad.pdf)

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on March 15, 2019 at 8:30 AM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Vince Ricci, Vice Chair (R)
Rep. Sharon Stewart Peregoy, Vice Chair (D)
Rep. Fred Anderson (R)
Rep. Willis Curdy (D)
Rep. Neil Duram (R)
Rep. Ross H. Fitzgerald (R)
Rep. Moffie Funk (D)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Joel G. Krautter (R)
Rep. Denley M. Loge (R)
Rep. Christopher Pope (D)
Rep. Sue Vinton (R)

Members Excused:

Rep. Edward Buttrey (R)
Rep. Bruce Grubbs (R)
Rep. Andrea Olsen (D)
Rep. Gordon Pierson Jr (D)
Rep. Katie Sullivan (D)

Members Absent: None

Staff Present: Joanne Kauzlarich, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: SB 126, 2/28/2019; SB 160, 2/28/2019; SB 171, 3/11/2019; SB 295, 2/28/2019

08:31:23 Chair Noland
08:33:07 Rep. Vinton

HEARING ON SB 160

Opening Statement by Sponsor:
08:34:27 Sen. Nate McConnell (D), SD 48, opened the hearing on SB 160, Provide workers' compensation for presumptive diseases of firefighters.

08:34:35 Vice Chair Ricci left the meeting.
08:36:47 Rep. Grubbs joined the meeting.
08:39:02 Rep. Olsen joined the meeting.
08:46:33 Rep. Buttrey joined the meeting.

Proponents' Testimony:
08:47:36 Dave Maslowski, Montana State Firemens Association (MSFA)
EXHIBIT(buh53a01)

08:52:09 Joel Gaertig, Montana State Firemens Association (MSFA)
EXHIBIT(buh53a02)

08:56:34 Rob Shoplock, Professional Fire Fighters of Idaho (PFFI)
09:01:44 David Van Son, Montana State Council of Professional Fire Fighters (MSCOPFF)
09:05:36 Rich Cowger, Montana State Fire Chief Association (MSFCA)
09:07:30 Allen Ekblad, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
09:07:51 Rep. Schreiner, HD 26
09:10:39 Amanda Curtis, Montana Federation of Public Employees (MFPE)

Opponents' Testimony:
09:11:19 Brian Thompson, Montana Municipal Interlocal Authority (MMIA)
EXHIBIT(buh53a03)

09:16:49 Larry Jones, Montana Self-Insurers Association (MSIA)
09:18:34 Eric Bryson, Montana Association of Counties (MACo)
09:22:27 Cary Hegreberg, Montana Chamber of Commerce (MCC)

Informational Testimony:
09:27:57 Laura Williamson, Department of Public Health and Human Services (DPPHS)

Questions from Committee Members and Responses:
09:28:46 Rep. Gunderson
09:29:53 Cary Hegreberg, MCC
09:30:22 Brian Thompson, MMIA
09:30:41 Rep. Gunderson
09:30:43 Brian Thompson, MMIA
09:31:07 Rep. Gunderson
09:31:33 Joel Gaertig, MSFA

09:31:46 Rep. Vinton
09:32:21 Larry Jones, MSIA
09:33:52 Rep. Vinton
09:34:03 Larry Jones, MSIA
09:34:11 Rep. Funk
09:34:39 Rob Shoplock, PFFI
09:35:21 Rep. Grubbs
09:36:16 Brian Reed, Montana State Firemens Association (MSFS)
09:36:36 Rep. Grubbs
09:36:48 Brian Reed, MSFS
09:37:17 Rep. Olsen
09:37:43 Vice Chair Ricci rejoined the meeting.
09:38:45 Eric Bryson, MACo
09:40:51 Rep. Pope
09:41:50 Cary Hegreberg, MCC
09:42:06 Rep. Harvey
09:42:56 Rob Shoplock, PFFI
09:45:03 Rep. Harvey
09:45:15 Rob Shoplock, PFFI
09:45:21 Rep. Vinton
09:45:50 Laura Williamson, DPHHS
09:49:08 Rep. Gunderson
09:49:55 Sen. McConnell
09:50:43 Rep. Gunderson
09:51:07 Sen. McConnell
09:52:02 Rep. Gunderson
09:52:35 Sen. McConnell
09:53:39 Rep. Fitzgerald
09:54:10 Sen. McConnell
09:54:29 Rob Shoplock, PFFI
09:54:59 Rep. Fitzgerald
09:55:18 Rob Shoplock, PFFI
09:55:22 Rep. Fitzgerald
09:55:47 Rob Shoplock, PFFI
09:56:27 Rep. Grubbs
09:57:07 Sen. McConnell
09:57:54 Rep. Pierson joined the meeting.
09:59:39 Rep. Duram
10:00:07 Sen. McConnell
10:00:33 Rep. Duram
10:00:49 Sen. McConnell
10:01:18 Rep. Duram
10:01:46 Sen. McConnell
10:02:18 Rob Shoplock, PFFI
10:03:40 Rep. Duram
10:04:00 Chair Noland
10:05:16 Sen. McConnell
10:06:37 Chair Noland
10:07:20 Sen. McConnell
10:09:58 Chair Noland

10:10:14 Sen. McConnell
10:11:30 Chair Noland
10:11:45 Rob Shoplock, PFFI
10:11:55 Chair Noland
10:12:08 Rob Shoplock, PFFI
10:12:43 Chair Noland
10:13:01 Rob Shoplock, PFFI
10:13:22 Chair Noland
10:13:35 Rep. Duram
10:13:58 Sen. McConnell

Closing by Sponsor:
10:14:35 Sen. McConnell

HEARING ON SB 295

Opening Statement by Sponsor:
10:17:00 Sen. Tom Richmond (R), SD 28, opened the hearing on SB 295, Generally revise public employee death benefits.

Proponents' Testimony:
10:20:55 Keni Grose, Montana Department of Transportation (MDT)
10:23:00 Amanda Curtis, Montana Public Federation of Employees (MFPE)
10:23:47 Gretchen Rooney, Self

Opponents' Testimony: None

Informational Testimony:
10:25:22 Anjenette Schafer, Department of Administration (DOA)

Questions from Committee Members and Responses: None

Closing by Sponsor:
10:26:04 Sen. Richmond

HEARING ON SB 126

Opening Statement by Sponsor:
10:34:30 Sen. Fred Thomas (R), SD 44, opened the hearing on SB 126, Revise workers' comp solvency guidelines for self-insured public entities.

Proponents' Testimony:
10:40:55 Shannon Shanholtzer, Montana Association of Counties (MACo)
10:43:02 Eric Bryson, Montana Association of Counties (MACo)

Opponents' Testimony:
10:49:58 Bill Wheeler, Department of Labor and Industry (DLI)
11:03:33 Al Smith, Labor Management Advisory Council (LMAC)
11:05:17 Lance Zanto, Labor Management Advisory Council (LMAC)

Informational Testimony: None

Questions from Committee Members and Responses:
11:06:24 Vice Chair Ricci
11:06:40 Eric Bryson, MACo
11:07:00 Vice Chair Ricci
11:07:05 Eric Bryson, MACo
11:07:46 Vice Chair Ricci
11:07:50 Eric Bryson, MACo
11:08:24 Rep. Harvey
11:08:47 Eric Bryson, MACo
EXHIBIT(buh53a04)

11:10:37 Rep. Pope
11:11:12 Eric Bryson, MACo
11:11:27 Rep. Pope
11:11:33 Eric Bryson, MACo
11:12:08 Rep. Pope
11:12:36 Eric Bryson, MACo
11:14:14 Rep. Pope
11:14:39 Eric Bryson, MACo
11:15:18 Rep. Pope
11:15:26 Eric Bryson, MACo
11:15:36 Rep. Duram
11:16:22 Eric Bryson, MACo
11:16:43 Rep. Duram
11:17:00 Eric Bryson, MACo
11:17:19 Shannon Shanholtzer, MACo
11:17:59 Vice Chair Ricci
11:18:12 Sen. Thomas
11:19:03 Rep. Curdy
11:19:46 Bill Wheeler, DLI
11:19:58 Rep. Curdy
11:20:02 Bill Wheeler, DLI
11:20:10 Rep. Curdy
11:20:14 Bill Wheeler, DLI
11:20:23 Rep. Curdy
11:20:36 Bill Wheeler, DLI
11:20:57 Rep. Harvey
11:21:36 Bill Wheeler, DLI

Closing by Sponsor:
11:23:05 Sen. Thomas

HEARING ON SB 171

Opening Statement by Sponsor:
11:26:39 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 171, Generally revise laws related to firefighters.

Proponents' Testimony:
11:31:48 Joel Gaertig, Montana State Firemens Association (MSFA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
11:33:06 Rep. Gunderson
11:33:41 Sen. Fitzpatrick
11:34:40 Rep, Gunderson
11:35:04 Rep. Curdy
11:36:03 Joel Gaertig, MSFA
11:36:57 Rep. Curdy
11:37:06 Sen. Fitzpatrick
11:37:58 Rep. Olsen
11:38:25 Sen. Fitzpatrick
11:39:12 Rep. Olsen
11:40:23 Sen. Fitzpatrick
11:40:55 Rep. Olsen
11:41:53 Sen. Fitzpatrick
11:42:40 Rep. Olsen
11:43:02 Sen. Fitzpatrick
11:43:12 Rep. Olsen
11:43:23 Sen. Fitzpatrick
11:43:29 Rep. Duram
11:43:50 Sen. Fitzpatrick
11:44:16 Rep. Duram
11:44:32 Sen. Fitzpatrick

Closing by Sponsor:
11:44:56 Sen. Fitzpatrick

Committee Business:
11:45:16 Chair Noland

ADJOURNMENT

Adjournment: 11:46:20

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Joanne Kauzlarich, Secretary

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Additional Documents:

EXHIBIT(buh53aad.pdf)